

Rosemarie S. Baccile, Acting Executive Director  
Approved March 1, 2016

State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration (HVACR)  
Contractors

Meeting # 34 - Tuesday, February 2, 2016 - Public Meeting - Minutes

The Minutes of the Board meeting held on February 2, 2016 have not been formally approved and are subject to change or modification by the Public Body at its next scheduled meeting.

The notice of the February 2, 2016 meeting has been mailed to the Star Ledger, Camden Courier Post, and Trenton Times newspapers, and has also been posted on the Bulletin Board at the Office of the Secretary of State, Trenton, New Jersey.

The Board meeting of February 2, 2016 was called to order at 9:00 am with the following Members in attendance:

Michael K. Maloney, Chairman, Mechanical Inspector 2

Dominic D. Demico, Jr. - Mechanical Inspector 1 - (absent)

Paul J. Mitchell - Master HVACR Contractor 3 - Board Secretary

Mary Pranzatelli - Public Member 2

Thomas C. Pitcherello  
Executive Branch of State Government Representative

Kevin S. Clark - Master HVACR Contractor 1

William C. Barham – Master HVACR Contractor 2

Daniel G. Danko, Jr. - HVACR Journeyperson - Vice-Chairman

Board Complement: (9):  
As of this meeting date, one (1) vacancy remains for a Public Member  
with the resignation of Mr. Griffith.

Attendees:

Joseph A. Donofrio, Counseling Deputy Attorney General (DAG)

Rosemarie Baccile, Acting Executive Director

Jamie Hall, Agency Services Representative

Court Reporter: Susan Bischoff, State Shorthand Reporters 732-531-9500

Public Session Visitors:

Eric DeGesero, FMA, NJ

Scott Bishop, JRV

Patrick Stewart, NJACCA

Keith Konopka, # 3340

Dave Castner, SMW 22

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1. CALL TO ORDER

2. ROLL CALL

3. ON-LINE LICENSING APPLICATIONS UPDATE As of January 13, 2016

Licensed Master HVACR Contractors by Grandfathering: 19HC00753200

Application Review: 12,403- Total applicants by grandfathering

Deficiency Cue: 1,144 These applicants have been notified by a deficiency letter that documents are required.

928 Active in Criminal History Review – Also have been notified

2,283 Active in Post Board Review Waiting on Bonds, license fees and processing.

Licensed Master HVACR Contractors BY EXAM: 182 (58 Denied)

4. APPROVAL OF THE JANUARY 5, 2016 MINUTES

A motion was made by Paul J. Mitchell and seconded by Kevin S. Clark to approve the minutes of this meeting. A vote was taken and the motion unanimously passed.

5. FY 2015 BUDGET REPORT  
Darlene Kane, Budget Officer  
December 11, 2015

This matter was moved to Executive Closed Session insofar as the matter was determined to be the DIVISION OF LAW billing and not the Division's budget report.

6. CONTINUING EDUCATION  
WELCOMING CONTINUING EDUCATION SPONSORS

All Licensed Master HVACR Contractors are exempt from the Continuing Education (5) five hour requirement for this first biennial renewal of July 1, 2016 to June 30, 2018, according to N.J.A.C 13:32A-4.1 License Renewal; Continuing Education Requirement.

All Licensed Master HVACR Contractors must complete the (5) five hour requirement CE requirement for the following biennial renewal:

July 1, 2018 to June 30, 2020

This requirement must be met before the next renewal date of July 1, 2018.

To assist Master HVACR Contractors with meeting the (5) hour Continuing Education requirement, the Board will approve CE Sponsors and courses and post that information at the HVACR website, once available.

The following individuals have submitted their requests and resumes for consideration to teach HVACR continuing education:

- A. Scott Bishop, Master HVACR Contractor #19HC00619700  
Licensed Master Plumber #36B101087100

Request for CE Sponsor

On February 2, 2016, Scott Bishop was present to discuss his resume and request for approval as a CE sponsor. A motion was made by Daniel G. Danko, Jr. and seconded by Thomas C. Pitcherello to approve Mr. Bishop as a CE Sponsor.

A vote was taken and the motion unanimously passed.

## INQUIRIES

7. Richard Young, EMAIL January 8, 2016, Freehold EMS  
Are Master HVACR Contractors allowed to install baseboard heat?

On February 2, 2016 the Board discussed this matter and responded that Licensed Master HVACR Contractors and Licensed Master Plumbers are permitted to install baseboard heating.

- 8a. Dave Castner, EMAIL January 8, 2016, Organizer SMWIALU  
Based on HVACR regulations 13:32A-1.1 b) 2) and 13:32A-1.2, I am interpreting that a duct cleaning contractor has to hold an HVACR license. Is that correct?

On February 2, 2016, Board Members addressed this inquiry and responding by stating that duct cleaning tasks must be performed by Licensed Master HVACR Contractors. Members noted that this response is based on existing NJ HVACR Statutes and Regulations. This task concerns the cleanliness of the airflow and remains within the scope of the Licensed Master HVACR Contractor.

- 8b. Dave Castner, EMAIL January 8, 2016, Organizer SMWIALU  
Based on HVACR regulations 13:32A-1.2, should a contractor that is installing a fume hood as part of casework or any explosion proof or ventilated cabinet be a licensed HVACR contractor?

On February 2, 2016 the Board discussed this matter and responded that this work remains within the scope of practice for the Licensed Master HVACR Contractors.

- 8c. Dave Castner, EMAIL January 8, 2016, Organizer SMWIALU  
Is a duct cleaning contractor be required to pull any type of permit to clean duct work?

On February 2, 2016 the Board discussed this matter and responded that the matter of permits and the Uniform Construction Code (UCC) is not within the jurisdiction of this Board, but remains within the jurisdiction of the Department of Community Affairs, Trenton, NJ.

Board Member Thomas C. Pitcherello extended his assistance in checking into this matter at the Department of Community Affairs, Trenton, NJ.

9. CORRESPONDENCE January 5, 2016 & January 6, 2016  
Anna Pilla, EMAIL January 06, 2016, SEARS Home Imp. Products Permit Coordinator

Seeking assistance: "Some NJ municipalities are not privy to what is going on with the new HVACR license thus rejecting permit applications for a lack of a Licensed Plumbers' seal on permits."

Board Member Thomas C. Pitcherello responded to state that the Department of Community Affairs, Trenton, NJ will be notifying licensed inspectors of permit and inspection requirements at the appropriate time once the Board and State of New Jersey officially transition into the enforcement of HVACR.

10. LETTER, JANUARY 7, 2016  
RE: ALL POINTS RESIDENTIAL, LLC  
FROM: THOMAS G. WALSH, ESQ

Seeking clarification as to whether or not a current employee, who is soon to be a Licensed Master HVACR Contractor, can function as a "bona fide representative" for All Points Residential, LLC, while appointed as a "manager" by the LLC.

On February 2, 2016, the Board agreed that the "manager" as defined by this entity, does meet the requirements for a licensed Master HVACR Contractor serving as the bona fide representative for All Points Residential, LLC.

- 10a. EMAIL, JANUARY 13, 2016  
FROM: NICHOLAS CORALLUZZO

Wants to know if residential refrigerators are governed by the new HVACR Laws and if an HVACR Contractor's license is required to service them.

On February 2, 2016, the Board addressed this inquiry and responded by stating that yes, a Master HVACR Contractor's license is required for service of residential refrigerators.

- 10b. EMAIL, JANUARY 14, 2016  
FROM: VINCENT CELIDONIO - Seeking a grandfathered HVACR license

On February 2, 2016, the Board addressed this inquiry and advised that the applicant may consider the qualifications and option to apply for a Master HVACR license by examination. Members stated that the applicant did not apply in time for the grandfathering which had been available from March 1, 2014 to September 1, 2014.

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by Daniel G. Danko, Jr. and seconded by Kevin S. Clark to proceed into Executive Closed Session to review consumer complaint matters, conduct investigative inquiries, discuss unlicensed advertisements, unlicensed practice matters, consider administrative closings, investigations of possible violations of applicable law, pending or anticipated litigation, matters under investigation, the DAG caseload, and review matters within the attorney-client relationship exception to the Open Public Meetings Act. A vote was taken and the motion unanimously passed.

The subject of this discussion shall remain confidential until such time as the reasons for having this matter in Executive Closed Session are no longer applicable. A vote was taken and the motion unanimously passed.

Submitted by,

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Rosemarie S. Baccile, Acting Executive Director